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12-12-03
1614
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December 10, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: U.S. Patent Application No.: 09/864,083 Filed May 23, 2001
Applicant(s): Wortzman, et al.
For: Compositions for the Treatment of Pigmentation Disorders
and Methods for Their Manufacture
Docket No. 01-40076-US (848966.20128)

Dear Sir:

Enclosed are the following for filing in connection with the above-referenced application:

1. Supplemental Declaration with Exhibit A;
2. A self-addressed stamped postcard, return of which is requested to acknowledge receipt of the enclosed documents.

* * * * *

EXPRESS MAIL CERTIFICATE (37 CFR 1.10)

Express Mail Label No. EV 342396546 US

Date of Deposit December 10, 2003

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Name: Tamica Gatling-Jones

Signature

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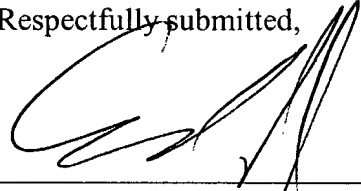
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Commissioner for Patents
December 10, 2003
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The Commissioner is hereby authorized to charge any additional fees due, or credit any overpayment to Deposit Account No. 18-0586.

Respectfully submitted,



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Date: December 10, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wortzman, et al

Serial No. 09/864,083

Filed: May 23, 2001

Art Unit: 1614

Examiner: Vickie Y. Kim

Attorney Docket No.: 01-40076-US

**COMPOSITIONS FOR THE
TREATMENT OF PIGMENTATION
DISORDERS AND METHODS FOR
THEIR MANUFACTURE**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

SUPPLEMENTAL DECLARATION

1. I, Philip J. Gordon, am a named inventor of the above-referenced patent application. I am additionally the President of Concept Laboratories located at 680 North Glenville Drive, Richardson, Texas.

2. My laboratory employee prepared a sample of an embodiment of the invention described in the above identified United States Patent Application. The sample was prepared to total 500 grams and was adjusted to reach a pH of about 5.70-5.80 in accordance with the procedure within the aforementioned application.

3. The prepared sample was placed in a stability oven at various temperatures which produced the following stability results:

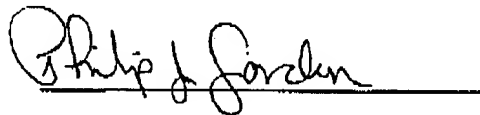
| <u>Temperature</u> | <u>Start Date</u> | <u>End Date</u> | <u>Comments</u> |
|--------------------|-------------------|-----------------|-----------------------------------|
| 45°C | 8/27/03 | 9/11/03 | Product appears white and stable. |
| 40°C | 8/27/03 | 9/11/03 | Product appears white and stable. |
| 45°C | 8/27/03 | 9/17/03 | Product appears white and stable. |
| 40°C | 8/27/03 | 9/17/03 | Product appears white and stable. |

4. In my opinion, the prepared embodiment of United States Patent Application No. 09/864,083, when prepared in accordance with the instructions provided by the application, appears to represent a viable cosmetic formulation due to it not discoloring, indicating a stable formulation (See photograph, attached as Exhibit A).

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully Submitted,

Dated: 12/10/03



Philip J. Gordon

